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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,713	02/20/2004	Bum-Jin Jung	249004US2	4166

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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RUSSELL, WANDA Z

ART UNIT	PAPER NUMBER
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2616

NOTIFICATION DATE	DELIVERY MODE
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01/15/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
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<b>Office Action Summary</b>	<b>Application No.</b> 10/781,713	<b>Applicant(s)</b> JUNG, BUM-JIN	
	<b>Examiner</b> Wanda Z. Russell	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claim 3** recites the limitation "the preview image" in line 1. There is insufficient antecedent basis for this limitation in the claim 2. The limitation "the preview image" is only described in claim 1.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. **Claims 1, 3-5, 7-9, 11-13, 15, and 16** are rejected under 35 U.S.C. 102(a) as being anticipated by Kelts (Pub No. US 2002/0112237 A1).

For **claim 1**, Kelts teaches a mobile communication terminal (802-Fig. 8), comprising:

a contents receiver (WAP browser, 806-Fig. 8, and [0151], last 7 lines) for receiving moving image contents (movies, 402-Fig. 4. Note that Fig. 4 is an interface display system such as a web browser. See [0070], lines 8-9. WAP is a web browser. See [0147], lines 4-5) from a contents service server (804-Fig. 8);

a contents reproduction unit (interface display, 400-Fig. 4) for reproducing the moving image contents (movies, 402-Fig. 4) received from the contents receiver (browser, 806-Fig. 8);

a contents output unit (interface display, 400-Fig. 4) for converting the reproduced moving image contents into a user-recognizable signal (for the end user to view, [0047], lines 1-3); and

a moving image preview processor (browser, 806-Fig. 8) for receiving moving image file information for the moving image contents (movies, 402-Fig. 4) from the contents service server (804-Fig. 8), transmitting a moving image preview request (2500-Fig. 25, and [0248], lines 1-7. Note that Fig. 25 describes a map system which is showed in Fig. 4. See bottom of Fig. 4) for the moving image contents to the contents service server (804-Fig. 8), the moving image preview request including information about a preview image type (map items, [0248], lines 10-11) determined based on the moving image file information (URL, [0248], line 8), and then receiving a preview image (412-Fig. 4) for previewing the moving image contents.

For **claim 3**, Kelts teaches the apparatus as set forth in claim 2 (assume it is 1, see 112 rejection above), wherein the preview image includes a plurality of still images which are part of the moving image contents ([0095], line 4. In this paragraph, video is a moving image, and image is a still image).

For **claim 4**, Kelts teaches the apparatus as set forth in claim 1, wherein the preview image is a moving image having a predetermined running time which is a part of the moving image contents ([0049], 6<sup>th</sup>-7<sup>th</sup> line from the end).

For **claim 5**, Kelts teaches a wireless communication system (Fig. 8), comprising:

a contents service server (804-Fig. 8) for providing moving image contents (402-Fig. 4), a preview image (412-Fig. 4) for the moving image contents and moving image file information (map item information area -Fig. 4) for the moving image contents; and

a mobile communication terminal (802-Fig. 8) for transmitting a moving image preview request (2500-Fig. 25, and [0248], lines 1-7. Note that Fig. 25 describes a map system which is showed in Fig. 4. See bottom of Fig. 4), including information about a preview image type (map items, [0248], lines 10-11) determined based on the moving image file information (URL, [0248], line 8) from the contents service server to receive the preview image (412-Fig. 4) for previewing the moving image contents.

For **claims 7 and 8**, they are system claims corresponding to claims 4, and 3 respectively, therefore they are rejected for the same reason above.

For **claims 9, 11, and 12**, they are method claims corresponding to claims 1, 4, and 3 respectively, therefore they are rejected for the same reason above.

For **claims 13, 15, and 16**, they are method claims corresponding to claims 1, 4, and 3 respectively, therefore they are rejected for the same reason above.

#### ***Claim Rejections - 35 USC § 103***

5. **Claims 2, 6, 10, and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelts (Pub No. US 2002/0112237 A1), in view of Pea et al. (Pub No. US 2004/0125148).

For **claim 2**, Kelts substantially teaches everything claimed as applied above (see claim 1). However, Kelts fails to specifically teach the apparatus as set forth in claim 1, wherein the moving image file information includes a size or a compression ratio of the moving image contents.

Pea et al. teach the apparatus as set forth in claim 1, wherein the moving image file information includes a size or a compression ratio ([0118], line 13) of the moving image contents.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Nagatomo with Weisman et al., and Pea et al. to obtain the invention as specified, for providing the information of a flexible size or compression ratio of the image file.

For **claim 6**, it is a system claim corresponding to claim 2, therefore it is rejected for the same reason above.

For **claims 10, and 14**, they are method claims corresponding to claim 2, therefore it is rejected for the same reason above.

#### ***Response to Amendment***

6. Applicant's amendment filed October 25, 2007 has been received and considered.

#### ***Response to Arguments***

7. Applicant's arguments with respect to claim(s) 1-16 have been considered but are moot in view of the new ground(s) of rejection. See details above.

Art Unit: 2616

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wanda Z. Russell whose telephone number is (571) 270-1796. The examiner can normally be reached on Monday-Thursday 9:00-6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WZR

*WZR*

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